

the COTP in the letter describing the deficiencies.

(h) The facility owner or operator and the qualified individual and the alternative qualified individual shall each maintain a copy of the most current response plan submitted to the COTP. One copy must be maintained at the facility in a position where the plan is readily available to persons in charge of conducting transfer operations.

§ 154.1065 Plan review and revision procedures.

(a) A facility owner or operator must review his or her response plan(s) annually. This review shall incorporate any revisions to the plan, including listings of fish and wildlife and sensitive environments identified in the ACP in effect 6 months prior to plan review.

(1) For an MTR facility identified in § 154.1015(c) of this subpart as a “significant and substantial harm facility,” this review must occur within 1 month of the anniversary date of COTP approval of the plan. For an MTR facility identified in § 154.1015(b) of this subpart, as a “substantial harm facility” this review must occur within 1 month of the anniversary date of submission of the plan to the COTP.

(2) The facility owner or operator shall submit any revision(s) to the response plan to the COTP and all other holders of the response plan for information or approval, as appropriate.

(i) Along with the revisions, the facility owner or operator shall submit a cover letter containing a detailed listing of all revisions to the response plan.

(ii) If no revisions are required, the facility owner or operator shall indicate the completion of the annual review on the record of changes page.

(iii) The COTP will review the revision(s) submitted by the owner or operator and will give written notice to the owner or operator of any COTP objection(s) to the proposed revisions within 30 days of the date the revision(s) were submitted to the COTP. The revisions shall become effective not later than 30 days from their submission to the COTP unless the COTP indicates otherwise in writing as provided in this paragraph. If the COTP indicates that

the revision(s) need to be modified before implementation, the owner or operator will modify the revision(s) within the time period set by the COTP.

(3) Any required revisions must be entered in the plan and noted on the record of changes page.

(b) The facility owner or operator shall submit revisions to a previously submitted or approved plan to the COTP and all other holders of the response plan for information or approval within 30 days, whenever there is—

(1) A change in the facility’s configuration that significantly affects the information included in the response plan;

(2) A change in the type of oil (petroleum oil group) handled, stored, or transported that affects the required response resources;

(3) A change in the name(s) or capabilities of the oil spill removal organization required by § 154.1045;

(4) A change in the facility’s emergency response procedures;

(5) A change in the facility’s operating area that includes ports or geographic area(s) not covered by the previously approved plan. A facility may not operate in an area not covered in a plan previously submitted or approved, as appropriate, unless the revised plan is approved or interim operating approval is received under § 154.1025; or

(6) Any other changes that significantly affect the implementation of the plan.

(c) Except as required in paragraph (b) of this section, revisions to personnel and telephone number lists included in the response plan do not require COTP approval. The COTP and all other holders of the response plan shall be advised of these revisions and provided a copy of the revisions as they occur.

(d) The COTP may require a facility owner or operator to revise a response plan at any time as a result of a compliance inspection if the COTP determines that the response plan does not meet the requirements of this subpart or as a result of inadequacies noted in the response plan during an actual pollution incident at the facility.